

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PCT LEGAL ADMINISTRATION
ATTENTION: BORIS MILEF

In re Application of:

Yahya HAGHIRI et al.

PCT/DO/EO/US

Serial No.: 09/926,011

Filing Date: 14 August 2001

Attorney Docket: HAGH3003/JEK

For: PORTABLE DATA SUPPORT WITH A REMOVABLE MINI CHIP CARD

**NEW SUBMISSION UNDER 37 C.F.R. § 1.42 AND
REQUEST FOR RECONSIDERATION**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Reconsideration of the denial of a request for status under 37 C.F.R. §1.42 filed March 27, 2002 in the above identified patent application is respectfully requested.

BACKGROUND

A petition for status under 37 C.F.R. § 1.42 on behalf of a deceased co-inventor named in this application was filed on March 6, 2002. The late inventor, Mr. Yahya Haghiri, was deceased at the time of filing the application and the declaration was executed by his heirs including Toubia Haghiri-Tehrani, who also executed the declaration for the deceased inventor.

The request was denied in view of the fact that the address and citizenship of Toubia Haghiri-Tehrani was unclear from the declaration document, and further because the information regarding address and citizenship of the deceased inventor was unclear.

The request was also denied in view of the fact that a statement had not been provided by the attorney of record confirming that the listed heirs of the deceased inventor executing the declaration were the "sole heirs" or "all of the heirs" of the deceased inventor.

NEW SUBMISSION

Reconsideration of the request for status under 37 C.F.R. § 1.42 is respectfully requested in view of the submission herewith of a new declaration executed on behalf of the deceased inventor Yahya Haghiri by his heir Touba Haghiri-Tehrani clearly providing information concerning the citizenship and address of the deceased inventor as well as Touba Haghiri-Tehrani herself, who executed the declaration on her own behalf and on behalf of her son, Sina Haghiri-Tehrani, a minor heir of Yahya Haghiri.

It is respectfully submitted that the informalities noted in the declaration previously submitted in this application have now been corrected. Withdrawal of the denial of status under Rule 42 because of informalities in the declaration is respectfully requested.

STATEMENT REGARDING HEIRS OF YAHYA HAGHIRI

The undersigned attorney of record hereby states that the heirs of Yahya Haghiri, the deceased inventor named in this application, and listed in the declarations thus far filed in this application, constitute **all of the heirs** of Yahya Haghiri.

In supplement to the foregoing statement, a Joint Will Document issued by the District Court of Munich March 19, 2001 is submitted herewith as Appendix A, including an English language translation thereof (unsworn). This document identifies Touba Haghiri Tehrani, Szahra Haghiri Tehrani, Sina Haghiri Tehrani and Mana Haghiri Tehrani as heirs of Yahya Haghiri Tehrani (Yahya Haghiri).

Under German law a legal representative of the deceased's estate is not required to be appointed.

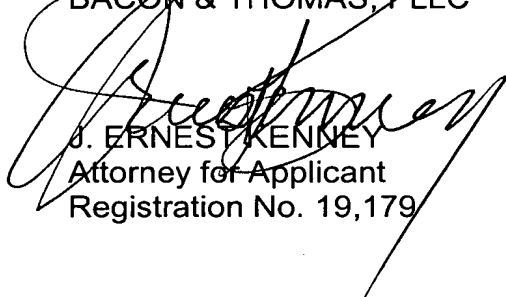
Withdrawal of the objection to the request of status under Rule 42 based on the lack of identification of the listed heirs as "all of the heirs" of Yahya Haghiri is respectfully requested.

CONCLUSION

It is respectfully submitted that all requirements have now been met to establish status in this application under 37 C.F.R. § 1.42 by the heirs of the deceased inventor, Yahya Haghiri.

Any fees that may be required in connection with this matter may be charged to Deposit Account No. 02-0200.

Respectfully submitted,
BACON & THOMAS, PLLC


J. ERNEST KENNEY
Attorney for Applicant
Registration No. 19,179



Customer 23364

BACON & THOMAS, PLLC
625 Slaters Lane - 4th Floor
Alexandria, VA 22314-1176
Telephone: (703) 683-0500
Facsimile: (703) 683-1080

Date: October 21, 2002

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Munich Magistrate's Court

19 March 2001

JOINT WILL DOCUMENT

restricted to domestic estate applying Iranian Law.

Yahya Haghiri Tehrani

5 born on 15 July 1946

deceased on 1 August 2000

lastly residing at Winzererstr. 98, Munich

has bequeathed as follows and as regards movable property the following:

1. Touba Haghiri Tehrani, born Mahdavi,

10 born 7 June 1947,

Winzererstr. 98, 80797 Munich

receives 4/32 -- four thirty-

seconds

2. Sina Haghiri Tehrani

15 born on 7 April 1987

Winzererstr. 98, 80797 Munich

receives 14/32 -- fourteen

thirty-seconds

3. Szahra Haghiri Tehrani

born 17 February 1978,

Winzererstr. 98, 80797 Munich

receives 7/32 -- seven thirty-

seconds

4. Mana Haghiri Tehrani

born 24 November 1980

Winzererstr. 98, 80797 Munich

receives 7/32 -- seven thirty-

seconds

and has bequeathed his real estate as follows:

1. Sina Haghiri Tehrani
born 7 April 1987
Winzererstr. 98, 80797 Munich

receives $\frac{1}{2}$ -- one half

2. Szahra Haghiri Tehrani
born 17 February 1978
Winzererstr. 98, 80797 Munich

receives $\frac{1}{4}$ -- one fourth

3. Mana Haghiri Tehrani
borne on 24 November 1980
Winzererstr. 98, 80797 Munich
receives $\frac{1}{4}$ -- one fourth

Unverhau-Hassold/judge at Magistrate's Court

Agreement of this document with
original is confirmed.

Munich 19 March 2001
Documents official at Business section:
signed: Erber

[Seal of Court]



Geschäfts-Nr.: 69 VI 11352/00

München, 19.03.2001

Gemeinschaftlicher Erbschein

beschränkt auf den inländischen Nachlaß in Anwendung iranischen Rechts

Yahya Haghiri Tehrani

geboren am 15.07.1946

gestorben am 01.08.2000

zuletzt wohnhaft Winzererstr. 98, München

ist beerbt worden hinsichtlich des beweglichen Vermögens von:

1. Touba Haghiri Tehrani, geb. Mahdavy,
geb. 07.06.1947, Winzererstr. 98, 80797 München
zu 4/32 - vier Zweiunddreißigstel -
2. Sina Haghiri Tehrani, geb. 07.04.1987,
Winzererstr. 98, 80797 München
zu 14/32 - vierzehn Zweiunddreißigstel -
3. Szahra Haghiri Tehrani,
geb. 17.02.1978, Winzererstr. 98, 80797 München
zu 7/32 - sieben Zweiunddreißigstel -
4. Mana Haghiri Tehrani,
geb. 24.11.1980, Winzererstr. 98, 80797 München
zu 7/32 - sieben Zweiunddreißigstel -

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ist beerbt worden hinsichtlich des unbeweglichen Vermögens von

1. Sina Haghiri Tehrani, geb. 07.04.1987,
Winzererstr. 98, 80797 München
zu 1/2 - ein Halb -
2. Szahra Haghiri Tehrani,
geb. 17.02.1978, Winzererstr. 98, 80797 München
zu 1/4 - einem Viertel -
3. Mana Haghiri Tehrani,
geb. 24.11.1980, Winzererstr. 98, 80797 München
zu 1/4 - einem Viertel -

Unverhau-Hassold
Richterin am Amtsgericht

Die Übereinstimmung der Ausfertigung
mit der Urschrift wird bestätigt.

München, 19.03.2001
Der Urkundsbeamte der Geschäftsstelle
des Amtsgerichts:

Erber
Erber
Justizangestellte



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